

PROCEEDING/MINUTES OF CITY COUNCIL

...May 09, 2018...

Council convened at 2:01 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Dennard, Landsman, Mann, Murray, Pastor, Seelbach, Sittenfeld, Smitherman and Young.

Also in attendance were Acting City Manager Patrick Duhaney, City Solicitor, Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silence prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Calendar and items presented By-Leaved were disposed of as follows:

MAYOR CRANLEY

Item #: 201800785

APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Rahiel Michael to the Hamilton County Convention Facilities Authority for a term of four years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201800786

APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Ron Dumas to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201800787

APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Phyllis Slusher to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201800788

APPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Karen Osborne to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201800789

APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Pete Witte to the Hamilton County Convention Facilities Authority for a term of four years. The appointment is submitted to City Council for its advice and consent pursuant to its Rules.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201800790

RESOLUTION, submitted by Mayor John Cranley, EXPRESSING Council's approval of the community benefits agreement entered into by FC Cincinnati for the benefit of community stakeholders in the West End neighborhood pursuant to the requirements of Ordinance No. 76-2018, passed by Council on April 16, 2018, and the Memorandum of Understanding approved thereby.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

MR. PASTOR

Item #: 201800774

COMMUNICATION, submitted by Councilmember Pastor from Mr. Cecil Shaw, regarding terrorism.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201800775

MOTION, submitted by Councilmember Pastor, We move the Department of Transportation Engineering (DOTE) conduct a traffic study at Vine Street and Glenwood Avenue in North Avondale to determine whether a traffic arrow should be installed similar to the turn signal at Vine Street and Clinton Springs Avenue in North Avondale. Traffic congestion and accidents continue to increase at Vine Street and Glenwood Avenue and residents believe a turn arrow is needed to relieve this traffic issue.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MR. SITTENFELD

Item #: 201800776

MOTION, submitted by Council P.G. Sittenfeld, WE MOVE that the City Administration prepare a report on the feasibility and merit of a program capping property taxes for low-income seniors, like the one which exists in the City of Philadelphia. (STATEMENT ATTACHED)

Status/Recommendations:

EDUCATION, INNOVATION & GROWTH COMMITTEE

CITY MANAGER

Item #: 201800740

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, establishing a three-year pilot program for the operation of low-speed vehicles on certain streets in Cincinnati, and ESTABLISHING the City's policy and interim regulations for the pilot program; and AUTHORIZING the City Manager or his designee to adopt such pilot program and interim regulations created by the Department of Transportation and Engineering for the operation of low-speed vehicles on City streets.

Status/Recommendations:

MAJOR PROJECTS & SMART GOVERNMENT

Item #: 201800757

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the Cincinnati Police Department to discharge a firearm at the Seabreeze Pavilion in Eden Park on May 28, 2018 for the purpose of creating a cannon sound effect for a performance of the Cincinnati Symphony Youth Orchestra, notwithstanding the prohibitions in Cincinnati Municipal Code Section 708-27 against discharge of any dangerous weapon in the City.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201800760

ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the establishment of new capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital"; AUTHORIZING the City Manager to accept and appropriate State of Ohio Capital Budget resources in the amount of \$360,000 as authorized by House Bill 592, which established the State of Ohio's Capital Budget for Fiscal Years 2019-2020; and further AUTHORIZING the Finance Director to deposit \$360,000 of State of Ohio Capital Budget resources into the newly established capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital."

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800761

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the transfer and appropriation of \$524,325 from the balance sheet reserve account no. 050x2580, "Reserve for Weather Related Events, Other Emergency and One-Time Needs," to various City departments based on the attached Schedule of Transfer for the purpose of providing funding for flood-related expenses incurred by the City of Cincinnati in 2018.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800762

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the transfer of the sum of \$5,141,269 within the General Fund, from and to various operating accounts of the General Fund according to the attached Schedule of Transfer for the purpose of realigning and providing funds for the ongoing needs of City departments.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800763

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the transfer of the sum of \$6,182,868 within the Restricted Funds from and to various operating accounts and AUTHORIZING the transfer and appropriation of \$1,367,251 from the unappropriated surplus of the respective Restricted Funds to various operating accounts for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedules of Transfer.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800764

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, authorizing the reconciliation of various City funds and accounts as follows: AUTHORIZING the transfer and return to source of the sum of \$2,000,000.00 from capital improvement program project account no. 980x255x182511, "OTR Arts Permanent Improvements," to Public Building Improvement Bond Fund 861; AUTHORIZING the transfer and appropriation of \$2,000,000.00 from the unappropriated surplus of Public Buildings Improvements Bond Fund 821 to capital improvement program project account no. 980x255x182511, "OTR Arts Permanent Improvements," for the purpose of providing resources for permanent improvements to support the arts in the Over-the-Rhine neighborhood; AUTHORIZING the transfer and appropriation of \$770,000.00 from the unappropriated surplus of the Miscellaneous Permanent Improvements Fund 757 to capital improvement program project account no. 980x232x03658, "The Banks," for the purpose of providing resources for the development of The Banks project on the riverfront, including but not limited to land acquisition, design,

engineering, and constructions costs related to the development; and
AUTHORIZING the transfer of \$14.82 from the unappropriated surplus of Other
City Deposits Fund 638 to General Fund 050 for the purpose of reimbursing the
General Fund for capital contributions.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800765

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on
5/9/2018, approving and authorizing the City Manager to execute a Community
Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)
with HG Pearl Provident, LLC, thereby authorizing a 15-year tax exemption for
100% of the value of improvements made to real property located at 632 Vine
Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the
remodeling of an existing building into 160 apartments and 13,000 square feet
of retail space, which remodeling shall be completed in compliance with
Leadership in Energy and Environmental Design Silver, Gold or Platinum
standards or Living Building Challenge standards, at a total remodeling cost of
approximately \$31,000,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800766

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on
5/9/2018, approving and authorizing the City Manager to execute a Community
Reinvestment Area Tax Exemption Agreement with 793 East McMillan, LLC, thereby
authorizing a 15-year tax exemption for 100% of the value of improvements made
to real property located at 793 E. McMillan Street in the Walnut Hills
neighborhood of Cincinnati, in connection with the remodeling of approximately
2,300 square feet of commercial space for food and beverage use, at a total
construction cost of approximately \$650,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800777

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on
5/9/2018, approving and authorizing the City Manager to execute a Community
Reinvestment Area Tax Exemption Agreement with U.S Bank National Association,
thereby authorizing a 10-year tax exemption for 100% of the value of
improvements made to real property located at 425 Walnut Street in downtown
Cincinnati, in connection with the remodeling of the office tower consisting of
approximately 110,000 square feet of office space, at a total construction cost
of approximately \$9,000,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800778

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, approving and authorizing the execution of a Job Creation Tax Credit Agreement with U.S. Bank National Association, pursuant to which the company agrees to create a minimum of 400 new jobs in Cincinnati within 5 years, and, for a period of 10 years, the City agrees to provide an income tax credit equal to 50% of City income tax revenue from such new jobs.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800745

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cincinnati Parks Foundation Blocked Area DBA (None Listed), 3251 Brookline Avenue. (#14933890005, Temporary, F8) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201800754

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Taxes for FCC. (SEE DOCUMENT #201800294 FOR COMMUNICATION)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800756

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Oakley Hospitality Group Inc. DBA Homewood Suites Hotel, 4605 Factory Colony Lane. (#6486160, New, D5A) [Objections: None]

Status/Recommendations:

FILE

*** FILED

Item #: 201800759

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Family Dollar Stores of Ohio Inc. DBA Family Dollar #3169, 1860 Seymour Avenue. (#26312750840, New, C1, C2) [Objections: Roselawn Community Council]

Status/Recommendations:

FILE

*** FILED

Item #: 201800767

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Calendar Year (CY) 2019 SORTA Biennial Funding Request.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201800768

REPORT, dated 5/9/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding replacement of Firehouse Engine Company 8 at Montgomery and Langdon Farm Roads. (SEE DOCUMENT #201800288 FOR COMMUNICATION)

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201800758

RESOLUTION LEGISLATIVE, submitted by Patrick A. Duhaney, Acting City Manager, on 5/9/2018, declaring the need for emergency repairs to sidewalks, sidewalk areas, curbs and/or gutters at miscellaneous locations in the City and the need for levying assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

CLERK OF COUNCIL

Item #: 201800770

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for David S. Mann/Councilmember. (ETHICS)

Status/Recommendations:

FILE

*** FILED

Item #: 201800771

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Greg J. Landsman/Councilmember. (ETHICS)

Status/Recommendations:

FILE

*** FILED

Item #: 201800772

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Wendell P. Young/Councilmember. (ETHICS)

Status/Recommendations:

FILE

*** FILED

Item #: 201800773

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Wendell P. Young/Councilmember.

Status/Recommendations:

FILE

*** FILED

EDUCATION, INNOVATION & GROWTH COMMITTEE

Item #: 201800349

MOTION, submitted by Councilmember Sittenfeld, MOVE that the City Administration prepare an ordinance to ban the possession and use of bump stocks within the city of Cincinnati similar to recently passed legislation in Columbia, South Carolina, Denver Colorado and the State of Massachusetts.

Status/Recommendations:

ADOPT

*** ADOPTED

MS. MURRAY	N
MR. PASTOR	N
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y

Item #: 201800634

ORDINANCE, (EMERGENCY) submitted by Councilmember P.G. Sittenfeld, from Paula Boggs Muethng, City Solicitor on 4/9/2018, ORDAINING new Section 910-24, "Possession, Use and Sale of Trigger Activators Prohibited," of Chapter 910, "Public Order," of the Cincinnati Municipal Code to implement appropriate and necessary municipal regulations on firearm accessories or attachments.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0091-2018

MS. MURRAY	N
MR. PASTOR	N
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y

Item #: 201800682

RESOLUTION, submitted by Councilmember P.G. Sittenfeld, EXPRESSING the opposition of the Mayor and City Council to House Resolution 38 and Senate Bill 446 (both known as the "Concealed Carry Reciprocity Act of 2017"), which would allow people with concealed carry permits in one state to carry their weapon in any other state.

Status/Recommendations:

PASS

*** FAILED OF ADOPTION

MS. MURRAY	N
MR. PASTOR	N
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	N
MR. YOUNG	N
MS. DENNARD	N
MR. LANDSMAN	Y
MR. MANN	Y